

**MONTGOMERY COUNTY GOVERNMENT
ROCKVILLE, MARYLAND
CLASS SPECIFICATION**

**Code No. 006106
Grade 32**

ASSISTANT COUNTY ATTORNEY III*

DEFINITION OF CLASS:

This is full performance legal counsel work which involves representing the County Government in a specialized area of municipal law. Contacts are with County department and agency heads to provide legal advice and prepare for argument of cases. The majority of contacts are with top officials of the County Government and bi-county agencies, Federal and State Judges, members of community and business organizations and members of appointed boards and commissions for purposes of reviewing and approving policies, regulations, legislation, ordinances, and procedures; providing and coordinating dissemination of legal information; formulating innovative solutions to unusually complex and unique legal problems, dispute resolutions and enforcement of public programs and laws in cases which have far-reaching significance in relation to major County programs and policies. Limited direct service and assistance to the public is required in this class.

An employee in this class provides legal representation, policy and legal guidance, public liaison, and resolution of unique issues of critical importance involving specialized areas of law for various officials and employees of the County Government and related agencies. The employee plans and carries out assignments, resolves many of the conflicts which arise, coordinates work with others, and interprets laws and precedents in light of established departmental objectives. Guidelines exist in the form of Federal, State and local laws, but require interpretation by the employee and resourcefulness in devising innovative solutions and new approaches and methods for presenting cases in court and serving as legal counsel. The complexity of the work is marked by a broad range of activities in a specialized field of law characterized by unclear facts, issues and precedents, requiring the exercise of broad discretion and professional judgment often involving high stress, time constraints and vigorous adversarial contest. Issues presented are unique in nature and involve creative and innovative analysis and reasoning to reach appropriate conclusions; extensive research and analysis may be required. The impact of this class of work directly affects the ability of the County to provide essential services and to avoid liability of significant fiscal impact. Work has substantial impact on actions to be taken by County officials, and the character of department/agency policies, programs and procedures. This class is distinguished from the next lower class by the knowledge required to perform a multitude of unusually difficult and complex work assignments with far-reaching impact and significance. Work is sedentary, performed in a typical office and courtroom setting, and subject to common everyday risks. Some employees in this class may be designated as working leaders.

EXAMPLES OF DUTIES: (Illustrative Only)

- Prepares briefs and argues cases in Federal and Maryland appellate courts, which includes conducting legal research and complex analysis of legal issues, evaluating the impact of the issues on County policies, advising departments of the probability of success or failure on appeal, and providing guidance to other attorneys performing appellate work.

- Prepares, reviews, and negotiates documents that have crucial legal, financial and policy implications and are intended to establish binding commitments between the County and other entities; analyzes the documents for legal, business and policy consequences; approves the documents, often without further supervisory review, for execution by the County.
- Drafts and reviews state and local legislative bills, resolutions, ordinances, and regulations; analyzes them for legal, business and policy consequences; advises the County Council, County Executive and County Departments regarding complex legal issues arising out of proposed legislation.
- Prepares and tries court cases of a complex and sensitive nature, to include research and preparation of pleadings, determining trial strategy, developing an expertise in specialized areas (both legal and non-legal), obtaining and preparing expert witnesses, and advice on and negotiation of settlements.
- Provides legal, policy and management advice to County Executive, Chief Administrative Officer, department heads and other high level department officials to include the review and approval of major proposed actions, advice on specialized areas of the law such as labor relations, civil rights, land use and bankruptcy, and guidance in analysis and consequences of choices.
- Performs related duties as required.

KNOWLEDGE, SKILLS AND ABILITIES:

- Comprehensive knowledge of the organization, functions, and operation (e.g., budget, legislation, contract, procurement, etc.) of the County Government; general knowledge of functions, organization, and operation of bi-County, State, and Federal agencies which deal with the County.
- Considerable knowledge of Federal, State, and County laws, ordinances, and regulations, including skill to draft laws for the County Council and the Maryland State General Assembly.
- Considerable knowledge of Federal, State and County laws, ordinances, and regulations, including statutory and case law and rules and regulations.
- Knowledge of Federal, State and administrative court procedures.
- Skill in dealing and communicating with department/agency heads, public officials and employees, as legal clients, to resolve short and long term legal problems presenting substantial economic and public policy consequences, to include negotiating agreements between County agencies and representatives of the public.
- Skill in explaining and defending policies, procedures and legal decisions, both verbally and in writing, to include dealing with members of the press and other public media representation in explaining legal positions, complex legal concepts, decisions and policies.
- Ability to try complex cases in all courts and at all levels, including appellate levels, with appropriate skills in evidence, oral advocacy, legal writing and trial preparation.
- Ability to assimilate and analyze various complex facts, issues and problems, and to render a legal conclusion based on the analysis.
- Ability to perform legal review and research, try cases, draft legislation, and perform difficult legal office and court work.
- Ability to devise and draft unique and effective legislation and other legal documents to meet public policy needs.
- Ability to determine alternative courses of legal action and the impact of same, and to recommend choices.
- Ability to effectively present and argue cases in court, before administrative agencies, and in public hearings and forums.
- Ability to deal tactfully, courteously, and effectively with people.
- Ability to attend meetings or perform work at locations outside the office, if necessary.

MINIMUM QUALIFICATIONS:

Education: Graduation from an accredited university school of law.

Experience: Thorough (four (4) years) experience as an attorney, including some specialized (one (1) year) experience involving either local government law or the area of specialization to which position is assigned.

Equivalency: None.

LICENSE:

- Membership in the Maryland State Bar; or, membership in the bar of any other state in the U.S. in which case Maryland State Bar membership must be obtained during the probationary period.

Note: There will be no substitutions for this section.

PROBATIONARY PERIOD:

Individuals appointed to a position in this class will be required to serve a probationary period of twelve (12) months and, if promoted to a position in this class, will be required to serve a probationary period of six (6) months. Performance will be carefully evaluated during the probationary period.

Continuation in this class will be contingent upon successful completion of the probationary period.

MEDICAL EXAM PROTOCOL: Medical History Review.

Class Established: June, 1969

Revised: August, 1975

July, 1988

Classification Study: December, 1994 (M)

September, 2002

November, 2004

August, 2013

October, 2014